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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/663,880

09/16/2003

Eric S. Fetzer

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04/05/2005

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EXAMINER

HOM, SHICK C

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/663,880

Applicant(s)

FETZER ET AL.

Examiner

Shick C Hom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-13, 15-17, 19 and 20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☒ Claim(s) 14, 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/4/04 have been fully considered but they are not persuasive. In page 6 line 17 to page 7 line 17 applicant argued that Crocker do not teach combining raw select signals to determine an input to be used is not persuasive because the multiplexer circuit shown in Fig. 1 of Crocker clearly reads on combining the first signal and second signal to determine which input should be used as the first conditioned signal and the second conditioned signal as claimed, since the function of a multiplexer is to allow two or more signals to pass over one communications circuit.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Crocker (5,773,995).

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Regarding claim 14:

Crocker discloses the encoded multiplexer (see col. 1 lines 4-6 and col. 5 lines 1-14) comprising: a first input with at least one instance; a second input with at least one instance (see col. 4 lines 56-67 where the recited input data signals IN0 and IN1 read on the first and second inputs); a first row select signal with at least one instance; a second row select signal with at least one instance (see col. 4 lines 56-67 where the recited selection signals read on the first and second row select signal); and a circuit which combines said first row select signal and said second row select signal to determine which input should be used as a first conditioned select signal and a second conditioned select signal (see col. 4 line 56 to col. 5 line 14 and col. 12 lines 36-56 which recite the combinatorial circuit and the encoded signals being transmitted in each stage corresponding to the selection signal for output from the multiplexer circuit, respectively).

Regarding claim 18:

Crocker discloses the encoded multiplexer (see col. 1 lines 4-6 and col. 5 lines 1-14) comprising: a first input with at least one instance; a second input with at least one instance (see col. 4 lines 56-67 where the recited input data signals IN0 and IN1 read on the first and second inputs); a first row select

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signal with at least one instance; a second row select signal with at least one instance (see col. 4 lines 56-67 where the recited selection signals read on the first and second row select signal); and a circuit which combines said first row select signal and said second row select signal to determine which input should be used as a first conditioned select signal, a second conditioned select signal (see col. 4 line 56 to col. 5 line 14 and col. 12 lines 36-56 which recite the combinatorial circuit and the encoded signals being transmitted in each stage corresponding to the selection signal for output from the multiplexer circuit, respectively), and a third conditioned select signal (see col. 5 lines 15-28 which recite the 3-input multiplexer operable for outputting an output data signal).

Allowable Subject Matter

4. Claims 1-5 are allowed.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

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of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

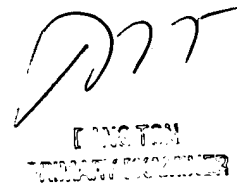
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH

A handwritten signature, possibly "DIT", is written above a rectangular stamp. The stamp contains the text "EBC" and "TOLL-FREE" in a stylized, blocky font.